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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

UNITED STATES OF AMERICA

CR 03-430-KI

v.

JEFFREY JOHN CHURCH,
Defendant.

**MOTION FOR CONTINUANCE OF
SUPERVISED RELEASE VIOLATION
HEARING AND ALLOWING FOR
EXCLUDABLE DELAY**

The United States of America, by Karin J. Immergut, United States Attorney for the District of Oregon, through Gregory R. Nyhus, Assistant United States Attorney (AUSA) for the District of Oregon, hereby moves this court to continue the supervised release violation hearing in the above-captioned case, currently scheduled for Monday, April 28, 2008, at 9:30 a.m. This motion is made jointly with defense counsel, Allison Clark, Assistant Federal Public Defender.

The government believes a continuance is necessary and appropriate pursuant to Title 18, United States Code, Section 3161(h)(8)(A) for the following reasons:

Defendant was arrested in Laos on immigration violations, where he had fled to escape

pending criminal charges in Thailand.¹ Due to the international nature of this matter, the government is still attempting to acquire the necessary documentation pertaining to defendant. In addition, counsel for the government is will be lecturing in Florida on April 28, 2008. These factors necessitate additional time for both the government and defense counsel to be able to acquire and review materials, and to prepare appropriately for court. Counsel for both the government and defense would request a continuance until a time no earlier than the week of May 19, 2008.

Based upon Title 18, United States Code, Section 3161(h)(8)(A), the government believes that a continuance is appropriate, as the ends of justice served by taking such a delay, outweigh the best interest of the public and the defendant in a speedy trial.

Dated this 23rd day April of 2008.

Respectfully submitted,

KARIN J. IMMERGUT
United States Attorney
District of Oregon

s/ Gregory R. Nyhus
GREGORY R. NYHUS, OSB #913841
Assistant United States Attorney

¹ It is the government's understanding that the government of Thailand will seek to have defendant extradited to face the pending charges.